IMT Nuremberg Archives

H – 674

International Court of Justice

H0674 – 0002

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Tail, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

H0674 – 0003

I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certife qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokuments vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

H0674-0004

(Page 101
of Orig.)

Coversheet to Document Jo 38

---

Excerpt from document PS 503 (USA 542 RF 1418)

Excerpt from a Fuehrer order concerning Commando Operations (Supplementary Order)

Submitted by the American prosecution on 7 January 1946 in the morning according to page 1996 of the German transcript.

---

H0674 - 0005



Jo 38

(Excerpt from PS 503)

Top Secret

Supreme Command of the Armed Forces.

No. 55 1781/42 g. K. Chefs. WFST/Qu.

Fuehrer Headquarters, 19 October 1942

By officer only

22 copies
21st copy

Added to the decree concerning the destruction of terror and sabotage troops (OKW/WFst No. 003830/42 top secret of 18 October 1942) a supplementary order of the Fuehrer is enclosed.

This order is intended for commanders only and must not under any circumstances fall into enemy hands.

The further distribution is to be limited accordingly by the receiving bureaus.

The bureaus named in the distribution list are held responsible, for the return and destruction of all distributed copies of the order and copies made thereof.

The Chief of the Supreme Command of
the Armed Forces

By order:

Jodl.

1 enclosure

(distribution list--over)

I herewith certify that the above document is a verbatim copy of an excerpt from document PS 503 (USA 542 - NF 1418)

Nuernberg, 12 March 1946

Prof. Dr. MINER

H0674 - 0006



Coversheet to Document Jo 39

---

Excerpt from PS 1263 (RF 365)

Conferences about the combatting of enemy sabotage units.

Submitted by the French prosecution on 30 January 1946 according to page 3562 of the German transcript.

---

H0674 - 0007



Jo 39
(Copy of Document PS 1363)

WFSt / Qu. (Administration) 14 October 1942

Top Secret

Subject: Fight against enemy sabotage troops.

Note

Following the radio announcement of 7 October 1942, WFSt has requested proposals from Foreign Office / Abw. and from WR for an executive order.

The proposal of the Amt Ausl./ Abw. will be submitted as Appendix 1.

(handwritten)
(Opinion of WFSt.)

The proposal is not in accordance with the above mentioned radio announcement and is too strongly influenced by considerations of the own interests of the Amt Ausl. / Abw. and particularly Abw. II, sections.

The Chief of WR has made a statement to the effect that the order was to be drawn up in such a way that it will take into account the own interests while considering the future conduct of the war. In this way he wanted to avoid repercussions which would counteract our further intentions. Sabotage is an essential part of conducting war at time of total warfare; we ourselves have strongly developed this method of fighting.

However, to draw up such an order it is necessary to clrify preliminary questions which he could bring up in oral discussions only, if possible, in the presence of the Chief of the Amt Ausl./ Abw. at WFSt. A telphonic discussion would be out of question because of the necessary treatment of future intentions.

H0674 – 0008



Only then could a statement be issued to the troops as to which sabotage troops should be regarded as bandits.

Opinion of WFSt:

The intention to dispose in the future of all terroristic and sabotage troops which behave like bandits has been already made public over the radio.

The task of the WFSt therefore consist only of giving such directives for execution as to how the units should deal with terroristic and sabotage units.

The question of the promulgation of this order, as it was brought up by the WR, needs not be followed further, since the announcement of the basic principle in the Wehrmacht report of Oct 7 should already be sufficient for purpose of intimidation.

WFSt therefore suggests the order appearing under Appendix 2.

(signed) W. (Initial)

H0674-0009



Jo_ 39___
(copy of PS 1263)

From teletype KR

Extract Copy

Appendix 1

GWOKA 02822

10 Oct 42, 14.30 o'clock

To WFSt

Transmitted: 10 Oct, 16.25

Subject: Treatment of British terroristic and sabotage units.

A. Members of terroristic and sabotage troops of the British Army who are found, contrary to the rules of warfare, without uniform or in German uniform will be treated as bandits. During fight and when fleeing, they are to be shot without mercy. If military necessities will call for their temporary arrest or if they fall into German hands outside of military actions, they are to be led at once before an officer for interrogation. Thereafter they are to be court-martialed.

(Handwritten) No

B. Members of terroristic and sabotage units of the British Army who, in uniform, are, in the opinion of the unit guilty of dishonorable activities or of activities contrary to international law,, are to be put under military confinement after their capture. WFSt has to be immediately notified about their actions. Directives about their treatment will be issued by WFSt in accordance with WR and the Amt Ausl/ Abw.

(That doesn't go either. J (Jodls Initial)

.....

OKW Amt Ausl./Abw.
No. 00381/42 Top Secret
Copy 1 G 1 b(5)

H0674-0010



Jo 39

(Copy of PS 1263)

The Chief

of the Supreme Command of the Army.

Appendix 2

Fuehrer Hq, the Oct. 1942

No. 00 ... / 42 top secret WFST/Qu.(Adm)

Top Secret
.Copies
.Copy

1. In the appendix to the Wehrmacht report of 7 Oct 42 it has been announced that in the future all terroristic and sabotage units of the British and of their accomplices who do not act like soldiers but like bandits will be mercilessly exterminated in combat.

2. The behavios of terroristic and sabotage units has to be always assumed to be contrarry to the rules of warfare when single aggressors as saboteurs, or agents, regardless whether as soldiers and irrespective of the kind of uniform, commit attacks of acts of violence which, in the judgement of the unit, differ from the basic rules of warfare and thus place themselves outside of the rules of warfare.

3. In these cases the aggressors are to be annihilated to the last man while fighting or fleeing without mercy.

4. Confinement in PW camps is prohibited even temporarily.

5. This order is not to go beyond army level; from there on to lower echelons is to be announced verbally. The order has to be destroyed after acknowledgement.

(no Signature)

H0674-0011



cont'd Jo. ....39.....

(Copy of PS 1263)

Copy

WFST/Qu.(Adm.)

14 Oct 1942

Subject: Fight against enemy sabotage troops.

Note.

Following an order, a draft for an order is herewith submitted about the fight against terroristic and sabotage units. A draft about the counterproposal of Amt Ausl./Abw. is contained in the teletype of 10 Oct with handwritten corrections according to the teletype of 13 Oct.

In agreement with the Chief WR, it is pointed out that attached order can have repercussions which can counteract our interest as to the future conduct of the war.

Reasons:

Sabotage has become an essential part of warfare in the age of total war. In this respect it is sufficient to point out our own attitude. Proof can be gathered by the enemy from reports of our own propaganda companies.

Therefore, in agreement with the Chief of the WR, the motion is made to hold a discussion at the WFSt, at which the Chief of the Amt.Ausl/Abw., the representatives of W.Pr. and WR should take part in order to ascertain in a statement to what extent can the goal be reached to fight efficiently against the sabotage warfare of the enemy without considerably impairing our own effort. In the meeting the points should be discussed which appear in the appendix. Telephonic discussion is not feasible because the answers to the questions under discussion would permit conclusions to the further intentions about the conduct of war. The Chief of the WR does not expect any progress from a preliminary discussion with the Amt.Ausl./Abw.

H0674 - 0012

RF 368

(Page 109
of Orig.)

Jo 39 continued
(Copy of PS 1263)

With this view in mind to prevent the enemy's fighting the war by using sabotage troops, following questions have to be clarified before formulating an order:

1.) Do we ourselves have the intention to commit sabotage units in the zone of rear echelons of the enemy only, or also far back in the zone of interior?

2.) Who will commit more sabotage troops, the enemy or we?

3.) Can we establish the principle: Sabotage units do not conduct legal war; they are to be exterminated in combat without mercy?

4.) Do we attach importance to arrest first the single members of this group for interrogation by counter-intelligence and not kill them immediately?

( no signature)

H0674 – 0013



(Copy of PS 1263)

WFSt./Qu.(Adm.)

15 Oct 1942

Subject: Fighting against enemy sabotage units.

Note

Following the radio announcement of 7 Oct 42, WFSt made proposals for executive order of Amt Ausl./Abw. and of WR.

The proposal of the Amt Ausl./Abw. will be submitted as appendix 1.

Opinion of WFSt:

The proposal is not in accordance with the above mentioned radio announcement and is strongly influenced by the own interests of the Amt Ausl./Abw., particularly Abt. II.

Chief WR has expressed the opinion that he would draft an order in such a way that it should take into account our own interests with regard to the future conduct of the war. In this way he wants to avoid repercussions which could counteract our further aims. Sabotage is an essential part of the conduct of war in the time of total war; we ourselves have strongly developed this method of warfare.

(Handwritten But the English depend more on it.

J.
ODL's
Initial)

However, the clarification of preliminary questions is necessary for the issuiance of such an order, which could only be brought about in verbal discussions in the presence of Chief Amt Ausl./Abw. with WFSt.A telephonic discussion is out the question because of the necessary handling of future intentions.

Only then could one give an explanation to the troops what sabotage units should be regarded as bandits.

H0674 - 0014



Jo 39 continued
(Copy of PS 1263)

Opinion of WFSt:

The intention to annihilate all terrotists and sabotage units in the future which behave like bandits, has been already made public over the radio.

Therefore the task of the WFSt would be only to issue directives as to how the troops are to act against terrorists and sabotage units.

The question about the publication of this order which was raised by WR needs no further discussion since the publication of the principle published in the Wehrmacht report of 7 Oct, as far as the intimidating effect goes, should already be sufficient.

WFSt therefore proposes the order as submitted in the appendix. (Appendix 2).

signed WARLIMONT

I herewith certify that the above document is a verbatim copy of document PS 1263 (RF 365).

Nuernberg, 12 March 1946. Prof. Dr. EXNER

H0674 - 0015



Coversheet to Document Jo 40

---

Excerpt from Document PS 532 (RF 368)

Crossed out draft of the Armed Forces Operational Staff (WFST) concerning the treatment of commandors.

Submitted by the French prosecution on 30 January 1946 according to 3568 of the German transcript and stricken out by the tribunal.

(Page 113 of Orig.) Jo 40 .....

(Excerpt from PS 532)

24 June 1944

WFST/Qu. (Verw.1)

SSD-Teletype

To

1.) Supreme Commander West

.....

Subject: Treatment of Commandos

1) Standard operating procedure to 1) will be fully maintained.

2) Numeral 5) refers to enemy soldiers in uniform who are captured in open combat by own troops stationed in the immediate combat zone of the beachhead or who surrender. "Own troops stationed in the immediate combat zone" applies in this sense to those of combat divisions on line as well as reserves up to and including general staffs.

3) In cases of doubt enemy personnel falling into our hands alive will be turned over to the SD, which will be responsible for the examination as to whether the order concerning commandos is applicable or not.

4) Accordingly, the paratroop-saboteurs dropped by the enemy over Britanny will be treated as commando personnel, since this area is not at present an immediate combat zone. It is immaterial in this case whether the paratroopers dropped wear uniform or civilian cloth The number of paratroopers captured in Britanny will be included in the daily report currently. In this respect an annex to the Armed Forces Repo of 7 October 1942 has already been published to the effect that such crimina elements should be

(In JODL's hand-writing) They just should not be.



H0674 - 0016

H0674 - 0017



massacred in combat.

(Remark: Enclosures of the order of the Fuehrer of 18 October 1942 as well as the further order regarding the treatment of Commando personnel of 25 June 1944 are attched. The letttrr mentions also paratroopers under number (2).

Distribution:  (sig.) signature

Chief of the Supreme Command of the Armed Forces through Chief of the WFST Qu (Entw.)

I herewith certify that the above document is a verb tim excerpt from document PS 532 (RF 368).

Nuernberg, 12 March 1946

Prof. Dr. EXNER

H0674-0018



Cover Page of Document Jo 41

---

Excerpt from Document PS 551 (USA 551)

Teletype regarding treatment of Commando participants, of 25 June 1944

Presented by the American Prosecution on the morning of 7 Jan 1946 as on Page 2011 of the German Minutes.

A

---

H0674 - 0019



Jo 41
(Excerpt from PS 551)

WFST/Qu. (Remark 1)

25 June 1944
TOP SECRET
5 copies
1st copy

Checked before Release ) in pencil
Chef WFST )

Remark 1 ) in pencil
)

KR - Teletype

To
1.) Supreme Commander West
2.) Chief of Army General Staff
For inf.: 3.) OKL/Lw Fü .Stab
4.) OKM/1.Skl.
5.) Reichsführer SS - Command Staff
6.) Military Commander, France
7.) Military Commander, Belgium/Northern France
8.) Armed forces Commander, Netherlands
9.) OKW/WR
10.) Supreme Commander Southwest (in pencil).

Reference: 1.) Führer Order No. 003830/42 Top Secret of 18 Oct 1942 OKW/WFSt
2.) Teletype Supreme Commander West No. 1750/44 Top Secret of 23 June 1944 (only to OKW/WFSt).

Subject: Treatment of Kommando Participants.

1.) Even after the landing of Anglo-Americans in France, the order of the Führer on the destruction of terror and sabotage units of 18 Oct 1942 remains fully in force.

Enemy soldiers in uniform in the immediate combat area of the bridgehead, that is, in the area of the divisions fighting in the most forward lines as well as of the reserves up to the Corps Commands, according to #5 of the basic order of 18 Oct 1942, remain excempted.

2.) All members of terror and sabotage units, found outside the immediate combat area, who include fundamental all parachutists, are to be killed in combat. In special cases,they are to be turned over to the SD.

3.) All troops, committed outside the combat area of Normandy, are to be informed about the duty to destroy enemy terror and

H0674 - 0020



Cont'd., Jo 41

Excerpt from PS 551

sabotage units briefly and succinctly according to the directives, issued for it.

4.) Supreme Commander West will report immediately daily, how many saboteurs have been liquidated in this manner. This applies especially also to undertakings by the military commanders. The number is to be published daily in the Armed Forces communique to exercise a frightening effect, as has already been done toward previous Kommando undertakings in the same manner.

(signature) KEITEL

OKW/WFSt/Qu. (Verw. 1)
Nr. 006668/44 Top Secret

Addition for Supreme Commander Southwest )
Similar action is to be taken in the Italian ) (Handwritten by JODL
theater of war. )

After forwarding:

| | |
|---|---|
| Qu (Verw.1) Simultaneously teletype | 1st copy. |
| Op (H) | 2nd copy. |
| Op (M) / (L) / Ktb. | 3rd copy. |
| VO Foreign | 4th copy. |
| VO W Pr. | 5th copy. |

Copy was sent on 1? Aug to the Cief of the Security Police and the SD.

---

I hereby certify that the above document is a verbatim excerpt from Document PS 551 (USA 551).

Nuernberg, 12 March 1946

Prof. Dr. EXNER

H0674 - 0021



Cover sheet for JO...42

---

Extract from Document PS 1807 ( GB 227 )

War Diary of the " Wehrmacht"

Operations Staff 1942.

Submitted by the British Prosecution on 15 January 1946 in the afternoon, according to page 2613 of the German minutes.

---

H0674 - 0022

(Page 119 of Orig.)

JO . . . . 42

(Extract from PS 1807)

( No heading )

(1942)

. . . . . .

25 May General (Gen. Oberst) HALDER draws the attention of the Fuehrer to the increasing partisan activity against the railroad connections of Army group Center (Heeres gruppe Mitte). Measures for the organized prevention of this are necessary.

. . . . . .

12 June 1942 German field police disarmed and arrested an USTASCHA company for atrocities committed against the civilian population in Eastern Bosnia.

The Fuehrer did not approve of this order of the commander 708th Division, it undermined the authority of the USTASCHA on which the whole Croatian State was founded. This was bound to have a more harmful effect on peace and order in CROATIA, than the unrest of the population created by the atrocities.

. . . . . .

25 June Speaking about the situation in SERBIA, the Fuehrer declares that we were not harsh enough in combatting the insurjents, as well as in combatting the partisans in RUSSIA.

. . . . . .

---

I certify hereby that the document reproduced above is a true extract of document PS 1807 ( GB 227 ).

NUERNBERG, 12 March 1946

signed: Prof. Dr. EXNER.

Cover Sheet of Document Jo . . 43 . . .

---

Excerpt from Document L 180 (USA 276)

Enclosure 9 with the General Report of Task Group (Einsatzgruppe) A up to 15 October 1941

(Reports about activities and experiences during battle against Partisans.)

Presented by the British Prosecution in the morning session of 7 January 1946 in accordance with Page 2026 of the German transcript.

---



H0674 - 0023

H0674-0024



Jo 43
(Excerpt from Enclosure 9
of Document L 180)

(P.65)

ENCLOSURE 9

Reports of Activities and Experiences
During Battle Against Partisans.

The Commander of the Security Police
and the SD
Task Group (Einsatzgruppe) A

Riga, 29 September 41

Reports of Experiences Encountered
During Battle Against Partisans

In the first weeks of the Eastern campaign, attacks on single motor-vehicles and smaller convoys and acts of sabotage against railroad lines, streets and bridges, demolition of telephone and telegraph poles, and destruction of supply depots etc. were carried out in the area of the army group "North" behind the German lines far into the rear army area to a daily increasing extent. The instigators of these acts of sabotage were the Red Partisan groups deployed behind the German front, the formation of which STALIN had demanded in his speech which was repeated daily over the radio during the period from 3 until 7 July 1941.

of the Partisans
The activity/can in no way be compared to the hedgerow sniping nuisance which was encountered in the Polish and the Western campaigns. While poorly prepared, partially improvised actions of the propagandized civilian population took place there, the Soviets with the use of the Partisan-groups employed an organization which had already been formed a long time previously. The establishment of Partisan-groups is not an invention of this war. Soviet military literature, on the contrary, has already for a long time

H0674-0025



(Excerpt from Enclosure 9
of Document L 180)

dealt explicitly with the word of the organizations and the work methods of the Partisans.

.....

I. Origin and organization of the Partisans.

.....

(P.66) 5.) In the larger cities, especially those with industrial facilities, so-called Istribitjelni-Battalions (i.e. destruction battalions) were formed by the Soviets before the entry of the German troops. Their main task was to be the combatting of German parachutists. Aside from this they were to demolish everything which the Red-Army men were unable to destroy in their retreat because of lack of time .....

II. Equipment and Armament.

.....

(P.67) 5.) The members of the destruction battalions wear civilian clothing or dark-blue clothing and caps similar to ski-caps. They are equipped with light machine guns, automatic rifles and hand grenades.

III. The tasks and fighting methods of the various Partisan groups has become known partly from the experiences in combatting them and partly from the captured combat directives of the Partisans themselves. The statement of a captured Partisan of a battalion stationed at Leningrad (Petersburg) is significant: "A Partisan must destroy everything that he can reach". So, according to his statement reads the basic order which was issued to the Partisan units. In one of the "Combat Directives for Partisan groups" transmitted to the Commander of the Army Area "North" (Rear) it is stated that "unbearable conditions are to be created for the enemy and his accomplices in territories occupied by the enemy".

H0674-0026



Jo 43 cont.
Excerpt from Enclosure 9
of Document L 180 )

(P.67) All measures of the enemy are to be prevented". The Partisans in particular are to detonate bridges, destroy roads, render telephone - and telegraphing facilities useless, cause forest fires, and demolish supplies. About the tactics employed by the fighting Partisans the directive states as follows: "Only brutal and determined actions of the Partisan unit guarantee success and bring help to the army".

. . . . . .

IV. Combatting the Partisans.

. . . . . .

(P.69) It is to be especially emphasized that the Partisans are camouflaging themselves in a steadily increasing extent with the utmost ingenuity. It was confirmed in many cases that the Partisans move around the area disguised as peasants and occupy themselves with field work at the approach of German units. A careful inspection of the civilian population has frequently led to the capture of Partisans camouflaged in this manner. In addition to this, fleeing Red Army men who have found their way through the German lines are obtaining civilian clothing as quickly as possible and establish contact with the Partisan groups.

signed/ Dr. Stahlecker
SS-Brigadefuehrer

(Excerpt from enclosure 9 of Document L 180)

---

17 August 1941

(P. 70)

Combat Group (Einsatzgruppe) A

of the Security Police and the SD

STAFF HQ (Stab)

Report of Activities and Experiences Encountered in Combatting Partisans

.....

(P. 71)

Since from the outside they cannot be recognized as Partisans ) (No uniform, weapons hidden under the jacket and partly even camouflaged as peasants with scythes or other work implements) , it is practically impossible in the course of merely patrol activities in any way to recognize the Partisans as such. .....

.....

Certified Correct

s/ signature (illegible)
Chancellery employee

s/ Dr. Stahlecker
SS-Brigadefuehrer and
Brig. Gen. (Gen.Maj.) of
the Police

---

I herewith certify that the document reproduced above is a true excerpt from Document L 180 (USA 276).

Nuernberg, 12 March 1946

Prof. Dr. Exner.



H0674-0027

H0674 – 0028

(Page 125 of Orig.)

Filed June 4, 1946

Cover sheet to Document Jo.44..

---

Excerpt from F 665 -AF 11

Leaflet 69/2 "Bandenbekaempfung"(fight against guerillas)

of 6 May 1944

Introduced by the French prosecution in the afternoon of 31 January 1946 according to page 3634 of the German transcript.

---

H0674-0029



Jo. .....44.....

(Excerpt from NOKW-665)

Leaflet 69/2

Restricted

(Stamp)

(Page 1) (Fight against guerillas (Bandenbekaempfung)

(applicable for all Branches)

of 6 May 1944

(Page 2) High Command of the Wehrmacht

No. 03268/44 - W.F.St./Op.

The Fuehrer's Headquarters

6 May 1944

Leaflet 69/2 "Fight against guerillas" becomes effective for the Wehrmacht as of 1 April 1944. Leaflet N.f.D. 69/1 "Directives for conducting the battle against guerillas in the East" ("Kampfanweisung fuer die Bandenbekaempfung im Osten") (OKW 1216/42 W.F.St./Op. of November 1942 is herewith abrogated.

The Chief of the High Command

of the Wehrmacht

by order

(signed) JODL

(Stamp)

This is a confidential matter.
Any misuse is punishable.

(Excerpt from F 665)

(Page 3) Contents


Page

Introduction . . . . . 4

I. Excesses of Guerillas . . . . . .5

II. The Fight Against Guerillas . . . . . 13
A. Leadership . . . . . 13
B. The Troop . . . . . 18
C. Reconnaissance Against Guerillas . . . . . 26
D. Fighting Methods . . . . . 34
1. Encirclement and Annihilation . . . . . .34
2. Dispersion by Surprise Attacks and Pursuit . 39
3. Use of Special Pursuit Detachments against Guerillas . 41

III. Protection against Guerillas . . . . . 44
A. General . . . . . 44
B. Protection of Railroad Installations and Railroad Traffic. . 49
C. Protection of Land and Waterways . . . . . 53
D. Protection of the Country . . . . . .54
E. Protection of Economic, Administration, and Communication Installations . . . . . .56
F. Protection of Agriculture and Forestry . . . . 57

IV. Particulars . . . . . 57
A. Use of the Luftwaffe in the Fight against Guerillas . . 57
B. Use of Armored Trains Fight against Guerillas 62
C. Particulars of the Use of Communications in the Fight against Guerillas . . . 66
D. Particulars in Use of Motor Vehicles in in the Fight against Guerillas. . . .68
E. Treatment of the Population, Accomplices of the Guerillas, And the Guerillas . . . . . .69
F. Seizure of the Country's Products . . . . . .72




H0674-0030

(Page 4) Introduction

The leaflet "Fight against Guerillas" is meant to convey to the units of the Wehrmacht and to their leadership which are charged with the fight against guerillas general proven principles, experiences, and suggestions.

It is valid for all Wehrmacht branches as well as all organizations utilized in the occupied territories. (RAD, OT, etc.) (Reich Labor Office, Organization TODT etc.)

.....

(Page 8/9) 7 .....

a).....

b).....

The guerillas are treating their victims with unsurpassable cruelty. A terrible death awaits those who fall into their hands. Mutilation of the wounded and the dead is the rule. Everyone who fights against guerillas must know this fact and must be hard.

.....

(Page 11) 10. .....

One additional stratagem is disguise. Members of the guerilla bands used for reconnaisance or requisitioning often wear German police, Wehrmacht or Waffen-SS uniforms. Individual bandits disguised as women are also often met. In the field of camouflage the bands display record performances, particularly when it is a question of going into hiding. Thus bandits were found standing up to their mouths in water, with heads camouflaged with turf sod or who were almost completely buried in the ground.

.....



H0674-0031

Jo 44 cont.

(Excerpt from F 665)

(p. 12) 14.) The bands have no one uniform. In addition to civilian clothing they use any and all possible uniforms of friend and foe. They increase their stock of uniforms during surprise attacks.

. . . . . .

(p. 12) 16. The bands, in order to be able to maintain themselves require either complete control of the area sheltering them or support from the population. Tolerance is the minimum of support. Very often the co-operation between population and bands goes much further. Many members of the population, without abandoning their occupations as peasants or artisans, temporarily or occasionally take part in the fights of the guerillas, or lend a helping hand, for instance as scouts, couriers or agents. It also happens that bandits are granted temporary leave from the guerillas to practice their trade. In case of need they are recalled to guerilla service.

. . . . . .



H0674-0032

H0674 - 0033



Jo 44 cont.

(Excerpt from F 665)

(p. 69) . . . .

157. The attitude of the population is of great importance in fighting the guerillas. In the midst of a population who maintains good relations with us, the guerillas cannot hold out for any considerable time. Among other things the amount of deliveries also are a criterion as to the attitude of the population. The agricultural leaders are to be heard in this connection. The Administration must see to it that, through fair treatment, through properly planned and energetic management and thorough and purposeful enlightenment, the population adopts the proper relations toward us.

The objective must be: The peasants personally must protect their property against the bandits, for which purpose, in cases of proved reliability, weapons and technical assistance may be given to them by us.

. . . . . .

. . . . . .

(p. 71) 161. . . . . Collective measures against the inhabitants of whole villages (in this category also belongs the burning of localities) must be ordered only in exceptional cases and exclusively by division commanders or SS and police leaders.

162. Evacuation of villages is timely when guerilla accomplices are repeatedly found in a village. Thereby it is important, for sufficient forces to be present to carry out and keep the evacuation orderly.

H0674-0034



Jo 44 cont
(Excerpt from F 665)

(p.72) The decision is made by the division commanders and SS and police leaders.

163. All bandits captured in enemy uniform or civilian clothing or who surrender during combat are to be treated, on principle, as prisoners of war. The same applies to all persons encountered in the immediate fighting area and are to be considered as guerilla accomplices, even when no acts of combat can be proved against them. Bandits in German uniform or in the uniform of an allied armed force are to shot after careful interrogation if captured in combat. Deserters, no matter how they are dressed,on principle, are to be well treated. The guerillas must learn of this.

.....

(p.73)

166. If an area is to be kept pacified, the population is to be allowed to keep what is necessary for its own maintenance and for the further management of their land. The quantity of agricultural produce to be seized in this case is to be determined by the agricultural leaders. Thereby must be taken into consideration in what manner the population hitherto has filled its quota of deliveries.

.....

---

I hereby certify that the document reproduced above is a verbatim excerpt from document F 665.

Nuernberg, 12 March 1946 Prof. Dr. EXNER.

(Page 132
of Orig.)

A. J. 1
Filed June 4, 1946

Cover sheet for Document No. 45

---

Copy of Sworn Affidavit by
pastor Otto METTBERG
from MAINBURG. On the Conduct
of the Partisan War.

---



H0674 – 0035

Jo .....45.....

(Sworn affidavit by
pastor WETTBERG-Cooy)

---

Sworn Affidavit

I see in the "Sueddeutsche Zeitung", 2nd year, No 4 of 11 Jan. 1946 that a Herr von dem BACH-ZELEWSKI has testified as a witness: "that wild anarchy is supposed to have reigned in the combatting of the partisans.

In that connection, I make the following sworn statement: There was an Army Service directive (H.D.V.) concerning the combatting of partisans. I myself served as a Technical Sergeant (Oberfeldwebel) in a security battalion from the beginning of January 1943 to the end of April 1943. I cannot remember the number of this battalion any more. I had myself, in my capacity as base leader of the MEZVIDI base near REZEKNE (Rositten, Ostland) such a directive in my hand. I can testify that it contained definite instructions which forbade arbitrary action. I remember definitely, for instance, that the directive stated clearly, when houses could be burnt down, and that this could only be done if shots had been fired from the house and only by order of a unit commander. The unit I was assigned to acted exclusively according to this directive.



H0674-0036

H0674-0037

(Page 134 of orig.)

still To. No. 45

(Copy of a sworn offidovit
of pastor WETTBERG)

I realize that this affidavit is to be submitted to the Tribunal and that false sworn statements to authorities are punishable.

(signed OTTO WETTBERG
vicar

MAINBURG, 11 March 1946

---

I hereby certify that the above document is a true copy of the sworn affidavit of clergyman OTTO WETTBERG from MAINBURG.

MAINBURG, 12 March 1946

Prof. Dr. EXNER

H0674 - 0038

(Page 135 - 138
of orig.)

Document Jo 46

A J 2

The document (article from "Stars and Stripes" concerning book by K.P. PONOMARENKO) is being withdrawn.

Prof. Dr. EXNER

H0674-0039



Coversheet to Document Jo 47

---

Excerpt from PS 731 ( RF 1407)

Memorandum on the Fuehrer's decision concerning measures against Anglo-American air crews in special instances. . dated 21 May 1944.

Submitted by the French prosecution on 7 Feb 1946 in the morning according to page 3999 of the German transcript.

---

H0674-0040



Jo 47

Copy of PS 731

(handwritten) Chief of the Operational Staff of the Armed Forces Chef West

Please direct drafting of order W K 21 May
(Warlimont's and Keitel's initials)

Deputy Chief of Command Staff of the Amred Forces (note apparently written by KEITEL)

Must also go to the Reichsfuehrer SS (handwritten JODL)

(After the address of the Reich Marshal General KORTEN makes the following statement:) (handwritten KEITEL)

Memorandum

The Fuehrer has rendered the following decision in regard to measures to be taken against Anglo-American air crews, in special instances. Downed enemy airmen are to be shot without court martial proceedings (Standgericht) in the following instances:

1. In the event of the shooting of our own (German) downed air crews while they are parachuting to earth;

2. In the event of aerial attacks upon German planes, which have made emergency landings, and whose crews are in the immediate vicinity;

3. In the event of attacks upon railway trains engaged in public (civilian) transportation;

4. In the event of low-level aerial attacks upon individual civilians (farmers, workers, single vehicles, etc.) (Note this paragraph was amended to read: In the event of low-level aerial attacks upon civilian population, single civilian vehicles, etc. The words "civilian population" are in hand writing).

(handwritten JODL) "I consider this point dangerous, For, to up an airplane which has made an emergency landing, can not be classified as "Gangster Method" but is in complete agreement with the strictest standards of civilized warfare.

J (JODL's initial)

(Additional note on left margin in JODL's handwriting). The order should be preceeded by a preamble in which the disregard of the most primitive laws of civilized conduct of war by the air forces of our Western enemies is characterized accordingly. J. (JODL's initial) 22

---

I herewith certify that the above document is a verbatim copy of document PS 731 (RF 1407).
Nuernberg, 12 March 1946 Prof. Dr. EXNER

H0674 - 0041



Coversheet to Document Jo 48.....

---

Excerpt from Document PS 735 (GB 151 RF 371/1423)

Minutes of a Meeting concerning the Treatment of Enemy Terror Aviator

Submitted by the French prosecution on 30 January 1946 according to page 3583 of the German transcript.

---

H0674-0042



Jo 48
(Excerpt from PS 735)

Deputy Chief of the Armed Forces Operational Staff
No. 771793/44 Top Secret, Top Secret.

Fuehrer Headquarters
6 June 1944

Subject: Treatment of enemy terror aviators

Minutes of a meeting

1.) Obergruppenführer Kaltenbrunner informed the deputyChief of WFSt in Klessheim on the afternoon of 6 June that a conference on this question had been held shortly before between the Reich Marshall, the Reich Foreign Minister and Reichfuhrer SS. Contrary to the original suggestion made by the Reich Foreign Minister who wished to include every type of terror attack on the German civilian population, that is, also bombing attacks on cities, it was agreed in the above conference that merely those attacks carried out with A/C armament, aimed directly at the civilian population and their property, should be taken as the standard for the evidence of a criminal action in this sense. Lynch law would have to be the rule. On the contrary, there has been no question of court martial sentence or handing over to the police.

2.) Deputy Chief of WFSt stated the following:

a.) First and foremost, following the lines of the generally distributed declaration made by Reich Minister Dr. Goebbels and numerous press notices written in the same vein, it is essential to announce any definitely established incident of this kind giving the names and units of the aviators, the place the incident occurred and any other relevant facts. The purpose of this would be to make clear the serious intentions of the Germans in the face of disbelieving enemy propaganda and espec-

H0674-0043



(Excerpt from PS 735)

ially to discourage effectively any further murderous action against our civilian population. Therefore the question is whether the SD knows such a case or whether the necessary proof is available from which to construct a case like this with the required statements.

Obergruppenfuehrer KALTENBRUNNER replied to both in the negative.

b). Deputy Chief of the WFST mentioned that, apart from Lynch law, a procedure must be worked out for segregating those enemy aviators who are suspected of criminal action of this kind, until they are received into the Reception Camp for aviators at Oberursel; if the suspicion was confirmed, they would be handed over to the SD for special treatment.

For this purpose the WFST would cooperate with the Supreme Command of the Air Force to set out the necessary regulations for the use of the head of the camp at Oberursel.

Obergruppenfuehrer KALTENBRUNNER expressed his complete agreement with this view and that the SD take charge of those aviators segregated.

c). On the question of making announcements, it is settled that, for the present, agreement should be reached in every case between OKW/WFST, OKL, and the Reichsfuehrer SS to decide the form that the announcement should take. The participation of the Foreign office is to be assured by the WFST.

3). At a conference with Colonel von BRAUCHITSCH (C-in-C Air Force) on 6 June, it was settled that the following actions were to be regarded as terror-actions, justifying Lynch law.

H0674 - 0044



Jo 48 continued
(Excerpt from PS 735)

a). Low level attacks with aircraft armament on the civilian population, single persons as well as crowds.

b). Shooting on our own (German) air crews in the air who have baled out.

c). Attacks with air craft armament on passenger trains in the public service.

d). Attacks with aircraft armament on military hospitals, hospitals and hospitaletrains which are clearly marked with the Red Cross.

The head of the reception camp for aviators at OBERURSEL will be informed of these facts given in Section 3 above. If the facts of any case of this kind are established on examination, the prisoners are to be handed over to the SD. Colonel von BRAUCHITSCH declared, at the end, that another report to the Reich Marshall on this subject would be superfluous.

sgd. WARLIMONT

( handwritten addition)

To 3. This conference is insufficient. The following points must be decided quite definitely in conjunction with the Foreign Office:

1). What do we consider as murder?
Is Foreign Office in agreement with point 3b?

2). How should the procedure be carried out?

a). by the people?
b). by the authorities?

3.) How can we guaratnee that the procedure be not also carried out against other enemy aviators?

4.) Should some legal procedure be arranged or not?

..... J (JODL's initial)

---

I herewith certify that the above document is a verbatim excerpt from document PS 735 (GB 151, RF 371/1452).

Nuernberg, 12 March 1946 Prof. Dr. EXNER

H0674 - 0045



Coversheet to Document Jo 49

---

Ecerpt from document C 123 (USSR 114)

Decision of the Fuehrer concerning LENINGRAD

Submitted by the USSR prosecution on 22 February 1946 in the morning according to page 4843 of the German transcript.

---

H0674 - 0046



Jo 49
(Excerpt from C 123)

Supreme Command of the Armed Forces.
No. 44 1675/41 Top Secret
Top Secret Operational Staff of the
Armed Forces/L) (I Ops.)

Fuehrer's H.Q. 7 Oct 41

14 copies
2nd copy

Top Secret
Only via officer.

Reference: Army Supreme Command Operations Section)
No. 41 244/41 Top Secret
dated 18 September 1941

Please submit
(pencil note by I a I f.)

To

Army Supreme Command
(Operations Section)

---

The Fuehrer has again decided that a capitulation of Leningrad or later of Moscow is not to be accepted even if offered by the enemy.

The moral justification for this measure is clear to the whole world. Just as in Kiev, our troops were subject to extreme danger through explosions with time-fuses, the same must be expected to a still greater degree in Moscow and Leningrad. The Soviet radio itself has broadcast that the foundations of Leningrad were mined and the city armed to the last man.

Extreme danger of epidemics is to be expected.

Therefore no German soldier is to enter these cities. Anyone who tries to leave the city through our lines is to be forced to return under fire. The exodus of the population through the smaller, unguarded gaps towards the interior of Russia is to be allowed. Before all other cities are taken, they are to be softened up by artillery fire and air-raids and their population forced to flee.

We cannot take the responsibility of endangering

H0674 - 0047



Jo 49 continued

(Excerpt from C 123)

our soldiers' lives by fire in order to save Russian cities, nor that of feeding the population of these cities at the expense of the German homeland.

The chaos in Russia will be all the greater; our administration and utilization of the occupied Eastern territories all the simpler the more the population of the cities of Soviet Russia flees to the interior of the country.

All commanding officers must be acquainted with this desire of the Fuehrer.

Chief of Supreme Command of
the Armed Forces
By Order
signed JODL.
Checked and found correct
signed F.....
Captain, General Staff

.....

---

I herewith certify that the above document is a verbatim excerpt from document C 123 (USSR 114).

Nuernberg, 12 March 1946

Prof. Dr. EXNER

H0674-0048



Coversheet to Document Jo 50

a. J. - 15
Filed June 14, 1946

---

Excerpt from PS 053

10th Report of the Commissioner of the Reich Ministry for the Occupied Eastern Territories with Army Group South.

(Reports on KIEV)

---

H0674 - 0049



Jo 50

(Excerpt from PS 053)

The Commissioner of the Reich Ministry
for the Occupied Eastern Territories with
Army Group South- Captain Dr. Dr. KOCH

Report 10

(concluded 5 October 1941)

(handwritten)
SECRET

. . . . . .

(Page 4) .....

f) The fire of KIEV (24-29 September 1941) destroyed the very center, that is the most beautiful and most representative part of the city with its two large hotels, the central Post Office, the radio station, the telegraph office and several departement stores. An area of about 2 square kilometers was affected, some 50,000 people are homeless; ..... ...

Up to date the danger of mines has not been eliminated - according to official reports of the engineer officers - at least 10,000 (ten thousand!) mines were deactivated, among them, of course, a great number in the outskirts of the city (railroad station, civilian airport, etc.) and in the tactical forward areas; in individual buildings (also in museums) there were found 3½ tons of explosives in prepared, technically correct mine chambers; captured detonator apparatus leads to the belief that other arrangements of similar nature were built for wireless detonation. With consideration

H0674-0050



Jo 50

(Excerpt from PS 053)

to possible electrical mine detonation, the power supply has not yet been switched on and therefore most staffs and commands are functioning only with candle or poor petroleum lighting. -

.....

I herewith certify that the above document is a verbatim excerpt from document PS 053.

Nuernberg, 12 March 1946

Prof. Dr. EXNER

H0674-0051



Coversheet Docuemtn Jo 51

---

Copy of Document PS 884 ( R351 )

Report Notice concerning the treatment of political and military functionaries.

Submitted by the prosecution of the USSR on 13 February 1946 in the morning according to page 4364 of the German transcript.

---

H0674-0052



Document Jo 51.....

(Copy of PS 884)

Dept. National Defense

(IV/Qu.)

Top Secret

Fuehrer H.Q. 12 May 1941

Subject: Treatment of political and military Russian functionaries.

Top Secret

Only via officer

(handwritten note)

must be presented to the Fuehrer once more J. 13 May

(JODL's initial)

REPORT NOTICE.

I. Army High Command present a statement of the instruction from March 31, 1941 concerning "Directives regarding treatment of political representatives etc. for uniform execution of this mission," enclosed as Annex 1.

This draft provides:

1. Political representatives and commissars are to be eliminated.
2. Insofar as they are apprehended by the troops, decision rests with an officer of disciplinary power whether that person is to be eliminated. Indentification as political functionary is sufficient proof.
3. Political commissars of the Army are not recognized as Prisoners of War and are to be liquidated at the latest in the transient prisoner of war camps. No evacuation to the rear areas.
4. Professional directors (commissars) of economic and technical institutions are to be apprehended only if resisting the German Armed Forces.

H0674-0053



5. The execution of the operations must not be interrupted by this measure. Coordinated search parties and razzias are not to take place.

6. In the rear army areas political functionaries and commissars, with the exception of political military commissars, are to be handed over to the Special Purpose Detachment of the Security Police.

II. In opposition to this, Memorandum 3 of Reichsleiter ROSENBERG, suggests that only very high and top most functionaries be liquidated as the state, communal and economic functionaries are indispensable for the administration of the occupied territories.

III. Therefore a decision of the Führer is required which principles shall be valid.

Proposal for case II:

1.) Functionaries revolting against the army, a thing to be expected from the radical element, come under the decree of rules for military tribunals of the territory Barbarossa. "They are to be liquidated as partisans. The same provision is accepted in Directives for conduct of armed forces in Russia."

-Appendix 2-

2.) Functionaries, committing no hostile act, are to be left in peace for the time being. The armed forces can hardly be expected to

H0674-0054



segregate the different grades of authority in the separate sectors, only after more complete penetration of the territory will it be possible to decide, if the remaining functionaries may stay at their present location, or will be handed over to the special detachments, insofar these commands themselves are not in a position to conduct the scrutiny.

3.) Military funtionaries (commissars) are to be dealt with according to proposal OKH. They are not recognized as prisoners of war and are to be liquidated at the latest in the transient P. of W. camps and under no circumstances to be removed to the rear areas.

(signed) WARLIMONT

Distribution:

Chief W.F.St.

Chief L.

L IV

Ktb.

News: W.A.

(handwritten addition)

We must count on retaliation against German flyers. It is best therefore to brand the entire action as retaliation.

J.

(JODL's initial)

---

I herewith certify that the above document is a verbatim copy of document PS 884 (R 351).

NUERNBERG, 12 March 1946 Prof.Dr. EXNER

H0674-0055



Coversheet to Document Jo 52

---

Copy of Document UK 56 (RF 1438)

Telegram of the Supreme Command of the Armed Forces/ Armed Forces Operational Staff: Notification of the German Foreign Office, of the Commander of German troops in Denmark as well as of other agenices about the Fuehrer's orders for Denmark.

Submitted by the French prosecution on 29 January 1945 in the afternoon according to page 3518 of the German transcript.

---

Remark

In this document, the phrasing of the translation is important! The word "nachr." means in military usage "nachrichtlich", that means the recipient is only informed of the contents of this letter for cognizance.

s/ EXNER

Prof. Dr. EXNER

Nuernberg, 12 March 1946

H0674-0056



Jo 52
( Copy of UK 56 )

TELEGRAM -Top Secret
(not in code)

OKW 22 September 1943 1920 hours.

Rec'd 22 September 1943 2120 hours.

Without number of 22 September Top Secret

Top Secret - Only via Officer.

Foreign Officer, Attn. Ambassador RITTER.

for information of Reichsfuehrer - SS & Chief of German Police, SS

Command Staff Hochwald.

for information of Chief of Army Munitions & Commander of the Replacement Army

Similarly Commander of German Troops in Denmark.

The Fuehrer has ordered:

1. Reichsfuehrer SS has permission to recruit from the former members of the Danish Forces who are about to be released, and to send up to 4,000 men of the youngest classes to an SS Camp in the Reich.

2. The deportation of the Jews will be carried out by the Reichsfuehrer SS, who for this object will move 2 police battalions to Denmark.

3. The military state of emergency is to remain in force at least until the conclusion of the actions ordered in articles 1 and 2. A special order will be issued regarding its cancellation.

H0674-0057



Jo 52 Continued
( Copy of UK 56)

4. The German Plenpotentiary has been similarly informed by the Foreign Offices.

By order

(Signed) JODL.

OKW/WFST/QU.2 (H)

No. 66 23 33/43 Top Secret Top Secret

I herewith certify that the above document is a verbatim copy of document UK 56.

Nuernberg, 12 March 46

Prof. Dr. EXNER

H0674-0058



Cover sheet for Document JC 8

---

Extract from Document PS - 823 ( RF 359 )

Report on construction of new prison camps for captured English and American air personnel.

Submitted by the French prosecution on 7.2.1946 as per page 4032 of the German transcript.

---

H0674-0059



Jo 53
(Extract from PS 823)

WFST/Qu.(ADM.)
No.03904/43 secret.

F.H.Qu., 3 September 1943

Subject: Construction of new prison camps for captured English and American air personnel.

Report for the Chief of OKW

1.) . . . . . .

2.) . . . . . .

3.) . . . . . .

4.) . . . . . .

5.) Statement of opinion by Staff Officer, Armed Forces Operations Staff WFST/Qu.

The lodging of prisoners of war in residential quarters is unobjectionable according to international law, especially when restricted to the construction of new camps and the removal of those which hitherto have been situated near military installations or armament industries. On the other hand, in the event of air attacks, their guarding and segregation from the population would cause great difficulties

(Pencil note)
Yes! K.

Should the political considerations, mentioned by the Chief for the Prisoners, (Chef Kriegsgef.) be eliminated, it is proposed that the plan of the High Command of the Air Forces (Ob.d.L.) be agreed to, with restriction to the construction of new camps and the removal of those which are near industrial plants.

At the same time Ob.d.L. is ordered not to make the fact of the removal officially known through press, radio, etc. but to arrange, should the case arise for the announcement in an army communiqué of the destruction of a camp by air attack, with a statement of the number

(Pencil note)
Yes! K.

H0674-0060



of dead.

Should this proposal not be approved, consideration should be given to the announcement of the fact of the removal, giving as reason that it was intended to give special protection from air attacks to the prisoners , by placing them in clean quarters, not connected with industrial plants.

(signed) Frhr. v. BUTTLAR

---

I certify herewith that the above text is a true and correct excerpt from document PS 823 (RF 359)

Nuernberg, 13 March 1946 Prof. Dr. EXNER

H0674-0061

(Page 161 of orig.)

Coversheet to Document Jo 54

---

Excerpt from document C 128

Special Regulations for the Administration of the Occupied Territories, of HOLLAND, BELGIUM and LUXEMBOURG.

---

AD 16
June 4, 1946

H0674-0062



Document Jo ..54....

(Excerpt from C 128)

Enclosure 6 to Appendix 5

C-in-C Army - Army General

Staff - Ops. Division

No. 44 440/39 Top Secret of 29.10.39

Special Regulations for the Administration and Pacification of the occupied countries, Holland, Belgium and Luxembourg.

1. With all measures for the administration of the country and in dealing with the people, it should be made clear that this invasion by German Troops is not directed against the country in question nor its people, but has been necessitated by the military situation. The people, their property, their public institutions and economy are to be protected. Artistic memorials are, if possible, to be safeguarded. The lot of those people who are friendly disposed, is if possible, to be made easier. Nevertheless the first essential for the carrying out of these principles is the quiet and loyal behaviour of the population.

The form of the occupation as well as the system and type of Administration to be introduced, is not to leave the impression, that it is intended to annexe the occupied territories. The administration is to be limited to the safety and maintenance of the German troops, and in connection with the country is to be of a definitely friendly nature.

International Law is to be strictly observed in every case.

---

I herewith certify that the above document is a verbatim excerpt from document C 128.

Nuernberg, 12 March 1946 Prof. Dr. EXNER

H0674-0063



Cover Page of Doc. Jo ...55.....

---

Excerpt from PS 440 (GB 107)

Directive No.8 for the Conduct of Warfare

Presented by the British Prosecution on the afternoon of 19 Jan 1946, as on Page 2243 of the German Minutes.

---

(Page 164
of Orig.)

Jo. .....55.....

(Excerpt from PS 440)

OKW/WFST No.213/39 top secret Dept L (I)

8 copies

.copy

(pencil marks) 31.II.

Directive No. 8

for the conduct of war

1.) .....

2.) .....

3.) .....

4.) .....

5.) The missions of the airforce remain unchanged. They are supplemented by special orders, which the Fuehrer has given orally, about airborne landings and support of the Army in the seizure of the bridges West of Maastricht.

The 7th Airborne Division (7. Fl.Div.) will be committed for the airborne operation only after the possession of bridges across the Albert-Canal has been assured. The quickest transmission of this message is to be assured between the supreme command of the Army and the supreme command of the airforce.

Localities, especially large open cities, and industries are not to be attacked without compelling military reasons, neither in the Dutch, nor in the Belgian - Luxembourgian area.

6.) .....

By order

signed KEITEL

authenticated

signed v.TROTHA

Captain

Distribution.....

---

I hereby certify that the above document is a verbatim excerpt from Document PS 440 (GB 107).

Nuernberg, 13 March 1946

t/ Prof.Dr. EXNER.



H0674-0064

H0674-0065

A. I. 3
see Folder 19

165

---

Excerpts from the "United States News"
of 10 October 1945 (Special edition)

Report of the Chief of Staff of the U.S. Army,
General George Marshall
to the Secretary of war (1 July 1943 - 30 June 1945)

---

H0674-0066

166

(Excerpt from "Report General Marshall")

Report of the Chief of Staff of the U.S. Army
1 July 1943 - 30 June 1945
to the Secretary of War

Introduction.

No evidence has yet been found that the German High Command had any over-all strategic plan. .....

The history of the German High Command from 1938 on is one of constant conflict of personalities in which military judgment was increasingly subordinated to Hitler's personal dictates. The first clash occurred in 1938 and resulted in the removal of von Blomberg, von Fritsch, and Beck and of the last effective conservative influence on German foreign policy.

The campaigns in Poland, Norway, France, and the Low Countries developed serious diversions between Hitler and the General Staff as to details of execution of strategic plans. In each case the General Staff favored the orthodox offensive, Hitler an unothodox attack with objectives deep in enemy territory. In each case Hitler's views prevailed and the astounding success of each succeeding campaign raised Hitler's military prestige to the point where his opinions were no longer challenged. His military self-confidence became unassailable after the victory in France, and he began to disparage substantially the ideas of his generals even in the presence of junior officers. Thus no General Staff objection was expressed when Hitler made the fatal decision to invade Soviet Russia.

H0674-0067

167

(Excerpt from "Report General Marshall")

When Italy entered the war Mussolini's strategic aims contemplated the expansion of his empire under the cloak of German military success. Field Marshal Keitel reveals that Italy's declaration of war was contrary to her agreement with Germany, Both Keitel and Jodl agree that it was undesired. From the very beginning Italy was a burden on the German war potential. Dependent upon Germany and German-occupied territories for oil and coal Italy was a constant source of economic attrition. Mussolini's unilateral action in attacking Greece and Egypt forced the Germans into the Balkan and African campaigs, resulting in over-extension of the German armies which subsequently became of the principal factors in Germany's defeat.

Nor is there evidence of close strategic coordination between Germany and Japan. .....

1.) .....

2.) <u>The Campaign of 1941 in the Soviet Union.</u>

.....

Impatient of all restraint, Hitler publicly announced that he had more faith in his own intuition than in the judgment of his military advisors. He relieved the commander in chief of the army, General von Brauchitsch. It was the turning point of the war.

3.) .....

4.) .....

5.) .....

6.) .....

7.) .....

H0674-0068

168+9

(Excerpt from "Report General Marshall")

==========

(p.5) The only effective defense a nation can now maintain is the power of attack. .....

(p.6) Our diplomacy must be wise and it must be strong. Nature tends to abhor weakness. The principle of the survival of the fit is generally recognized. If our diplomacy is not backed by a sound security policy, it is, in my opinion, forecast to failure. We have tried since the birth of our nation to promote our love of peace by a display of weakness. This course has failed us utterly, cost us millions of lives and billions of treasure. The world does not seriously regard the desires of the weak. Weakness present too great a temptation to the strong, particularly to the bully who schemes for wealth and power.

.....

This Nation's destiny clearly lies in a sound permanent security policy. .....

For the Common Defense

(p. 116) We must start, I think, with a correction of the tragic misunderstanding that a security policy is a war policy... ....

(sig.) G. Marshall

Chief of Staff.

H0674-0069



JO. . . 56. . . . . .
(Extract from Report
of General Marshall)
- - - - - - - - - - - - -
- - - - - - - - - - - - -

Biennial Report of the Chief of Staff

of

the U. S. A R M Y

Gen. G E O R G E C. M A R S H A L L

(July 1,1943 to June 30,1945)

to the S E C R E T A R Y O F W A R

Introduction

. . . . . .

(p,1)No evidence has yet been found that the German High Command had any over-all strategic plan.....

The history of the German High Command from 1938 on is one of constant confliet of personalities in which military judgment was increasingly subordinated to Hitlers personal dictates. The first clash occurred in 1938 and resulted in the removal of von BLOMBERG, von FRITSCH, and BECK and of the last effective conservative influence on German foreign policy.

The campaigns in Poland, Norway, France, and the Low Countries developed serious diversions between Hitler and the General Staff as to details of execution of strategic plans. In each case the General Staff favored the orthodox offensive, Hitler an unorthodox attack with objectives deep in enemy territory. In each case Hitler's views prevailed and the astounding success of each succeeding campaign raised Hitler's military prestige to the point where his opinions were no longer challenged. His military self-confidence became unassailable after the victory in France, and he began to disparage substantially the ideas of his generals even in the presence of junior officers. Thus no General Staff objection was expressed when Hitler made the fatal decision to invade Sowjet-Russia.



When

H0674-0070



Document JO. . 56. . . . .
(extract from " Report
General MARSHALL")

(p,1) When Italy entered the war Mussolini's strategic aims contemplated the expansion of his empire under the cloak of German military success. Field Marshal KEITEL reveals that Italy's declaration of war was contrary to her agreement with Germany. Both KEITEL and JODL agree that it was undesired. From the very beginning Italy was a burden on the German war potential. Dependent upon Germany and German-occupied territories for oil and coal. Italy was a constant source of economic attrition. Mussolini's unilateral action in attacking Greece and Egypt forced the Germans into the Balkan and African campaigns, re-
(p.2) sulting in over-extension of the German armies which subsequently became one of the principal factors in Germany's defeat.

Nor is there evidence of close strategic coordination between Germany and Japan.....

.....

1.) . . . . . .

2.) The Campaign of 1941 in the Soviet Union . . . . . .

Impatient of all restraint, Hitler publicly announced that he had more faith in his own intuition than in the judgment of his military advisors. He relieved the commander in chief of the army, General von Brauchitsch. It was the turning point of the war.

3.) . . . . . .

4.) . . . . . .

5.) . . . . . .

6.) . . . . . .

7 ) . . . . . .

The

H0674-0071



Document JC . 56. . . . .
(extract from " Report
General MARSHALL " )
= = = = = = = = = = = = = = =

. . . . . .

(p.5) The only effective defense a nation can now maintain is the power of attack. . . . . .

(p.6) Our diplomacy must be wise and it must be strong. Nature tends to abhor weakness. The principle of the survival of the fit is generally recognized. If our diplomacy is not backed by a sound security policy, it is, in my opinion, forcast to failure. We have tried since the birth of our nation topromote our love of peace by a display of weakness.This course has failed us utterly, cost us millions of lives and billions of treasure. The reasons are quite understandable. The world does not seriously regard the desires of the weak. Weakness presents too great a temptation to the strong, particularly to the bully who schemes for wealth and power.

. . . . . .

(p.116) For the common defense

. . . . .

We must start, I think, with a correction of the tragic misunderstanding that a security policy is a war policy. . . . .

. . . . . .

(signed) G. M A R S H A L L
Chief of Staff

Washington, D.C.
1 September 1945

---

Hereby is confirmed that above article is an exact copy-extract from " Biennial Report of the Chief of Staff of the U.S.Army " By Gen. George C. MARSHALL, published in "The United States News" (extra number) from October 10, 1945.

Nuernberg, February 12, 1946 Prof.Dr.EXNER

H0674-0072



Cover Page to Document Jo 57

---

Copy of the document of the interrogation of the former Colonel Albrecht SOLTMANN about the plans of the English military commanders in Norway.

---

A. J. 4
Filed June 5, 1946

H0674-0073



Jo ..57.....

(Copy of the interrogation of
Colonel SOLTMANN)

D O C U M E N T

about the interrogation of the witness SOLTMANN Albrecht, discharged Colonel of the German armed forces as defense witness for General Field Marshal JODL of the General Staff and the German General Staff.
The witness Albrecht SOLTMANN was sworn in by the Public Safety and Legal Officer 2nd Lt. James F. Wade, Military Government, district (Landkreis) Ebersberg, Det. I - 361, and deposed the following testimony:

Ebersberg, 22 March 1946

I, the undersigned, SOLTMANN Albrecht, born on 7 August 1899 at Watford, England, former Colonel of the German armed forces, discharged on 23 May 1945, married, the father of 4 children, Protestant, at present residing in Falkenberg castle, Community of Moosach near Grafing No. 56, am able to depose the following testimony under oath:

1st Question: In what official position were you employed in the spring of 1940?

Answer : I was employed as an expert specialist on "The British Army" in the Department "Foreign Armies West" in the Army General Staff.

2nd Question: Is it correct that you have evaluated the files and orders captured from the English landing brigade at Lillehammer in April 1940?

Answer : Yes, partially, inasfar as this was possible in the short time at our disposal on the battlefield of Lillehammer. The thorough evaluation of the document which had been captured took place

H0674-0074



Copy of the interrogation of
Colonel Soltmann)

after my return in the Department "Foreign Armies West". I participated in their evaluation.

The other evaluation was executed by the Chief of the Department "Foreign Armies West", Colonel Liss of the General Staff. Since I was not a General Staff officer I had to present the evaluation results to him continually.

3rd Question: Is it correct that you have also examined diaries of British prisoners of this landing brigade, and that you were present at the interrogation of these prisoners in the Alexander Caserne at Berlin on 26 April 1940.

Answer : I have examined diaries of English prisoners of the British landing brigade. I was not present at the interrogation of the prisoners which took place at the Alexander Caserne on 26 April 1940. It was carried out by Colonel Liss of the General Staff.

4th Question : What evidence did these documents and statements by the prisoners show about the English plans with regard to Norway prior to our invasion of Norway?

Answer : The documents and statements by prisoners showed that a short time before our invasion of Norway the British invasion troops had been embarked on destroyers. On the following day the were again disembarked and remained in the vicinity of the port of embarkation. They were then reembarked after the German invasion of Norway for the second time and transported to Norway. What intentions the

H0674-0075



continuation of Jo..57.....

(Copy of the interrogation
of Colonel SOLTMANN)

English persued in the embarkation of their troops before our landings could not be determined from the documents and from the statements furnished by prisoners. Whether they intended to occupy Norway before our invasion could at that time only be conjectured, because the prisoners did not make any exact statements in this respect. The conjectures are based on the special equipment of these British troops. Inasfar as I could evaluate the documents and statements furnished by prisoners they did not contain proof of the English plans with regard to Norway.

5th Question: Have not the results of all documents and statements furnished by prisoners been to the effect that in the invasion of Norway we arrived only just ahead of the English?

Answer: Yes, the information in the documents and the statements furnished by prisoners could be interpretad to mean that in our invasion we were just ahead of the English. However, whether this was considered unmistakable evidence escapes my knowledge.

6th Question: Were not a large number of French documents captured in a railroad train toward the termination of the western campaign in France in June 1940?

Answer: Yes, but I did not participate in this.



x 7th Question

H0674-0076



JO 57 cont.

(Copy of the interrogation
of Colonel SOLTMANN)

---

7th question: Is it true that among these documents there were also some which proved that the French military leadership urged the undertaking against Norway to be expedited?

Answer: As far as I can recall, yes. I did not see this document myself, but it was discussed in my office.

8th question: Can you recall, whether this meant the English action before the German landing in Norway or after this landing?

Answer: I cannot recall that.

I have answered all 8 questions mentioned above voluntarily, without any pressure or promises on the part of the examining judge.

For the Commanding Officer:

(signed) James F. MADE

(written by hand)

James F. MADE, 2nd Lt. CMP
DET. I-361
Legal Officer and Military
Government Summary Court
Officer

(sigend) Albrecht SOLTMANN

(written by hand)

Albrecht SOLTMANN

---

I hereby certify that the document reproduced above is a verbatim rendering of the minutes on the interrogation of the witness Albrecht SOLTMANN

Nuernberg, 12 March 1946

Prof. Dr. EXNER

H0674-0077

(Page 178
of Orig.)

Cover sheet of document JO. 58

A J 5

Filed June 8, 1946.

Testimony of Air Force General

KOLLER

of 25 March 1946

H0674-0078



JO 58

AJ 5

(Questions to General KOLLER)

-C O P Y-

Prof. Dr. EXNER

Defense Counsel A. JODL

Nurnberg, 4 January 1946

---

New draft ( Alteration fig. 2 )

To General of the Air Force KOLLER

lately Chief of the General Staff of the German Luftwaffe

( Berchtesgaden)

1.) Since when have you been Chief of the General Staff of the German Luftwaffe?

2.) Is it known to you, that under your predecessor, the late General KORTEN, the Fuehrer in June 1944 ordered following question to be examined?

Are orders to be given to leave to the fury of the populace certain low-flying aviators who act contrary to international law? ( This refers to aviators who attack the civilian population, hospitals and military hospitals, also trains engaged in public traffic.)

3.) Is it true that no such order was issued?

4.) Is it known to you that the Chief of the Wehrmacht operational staff had this question which was raised by GOEBBELS carefully examined and came to the conclusion that such an order could not and should not be issued because:

a) These low-flying aviators actually never were taken alive, but that there was only

b) the danger that all enemy aviators who bailed out would be dealt with in the same way.

5.) Do you recall that about March 1945 in the air raid shelter of the Reich Chancellery the Fuehrer reproached you and the Luftwaffe because such an order was not given?

(signed) EXNER.

H0674-0079



25 March 1948.

Dr. EXNER
Defense Counsel A. JODL

To your inquiry of 4 January 1948, I state as follows:

1. From 1 September 1943 until 3 September 1944 I was Chief of the Air Force Operational Staff, from 23 November 1944 Chief of the General Staff of the Air Force.

2. I was not personally present when this instruction was given by the Fuehrer I recall however that General KORTEN once told me that the Fuehrer intended to deliver the aviators mentioned to popular fury and we repeatedly discussed the matter at length. We agreed in the absolute rejection of this intention. Our reasons were substantially:

a) International law (Articles of war),
b) Unsoldierly, unbecoming intention contrary to all military principles,
c) Source of numerous misunderstandings, through which other enemy and friendly aircraft crews also would surely come to harm,
d) Consequences to our own (German) aircraft crews, instigation of counter-measures on the part of the enemy, which we could not be answerable for either towards our own crews nor towards their dependents,
e) Obtaining of news.

The event in my opinion occured about the beginning of July in BERCHTESGADEN. Thus not long before the removal back to Wolfschanze. Owing to subsequent events "Attempt on the Fuehrer's life events in connection therewith, death of General KORTEN, change in chiefs, and my departure from the High Command of the Air Forces (OKL)", I lost sight of the matter at the time.

3. Such an order to my knowledge was not been given at that time, certainly not by the Wehrmacht Operational Staff, which in my opinion would not at all have been competent.

At any rate I cannot recall having seen such an order.

4. It is not known to me what Colonel-General JODL as Chief of the Wehrmacht Operational Staff ordered within the compass of his competency in the Wehrmacht High Command regarding examination of this question. With my knowledge of the personality of the General and the great care he

H0674-0080

180 a

exercised in all such difficult questions, I assume a thorough examination of the question on his part as true, correct and quite self-evident for General JODL.

5. Yes, I remember quite exactly,

a) About the beginning to the middle of March 1945, during the situation report a notice taken from the Allied Press Reporter Survey was laid before the Fuehrer by BORMANN. It read somewhat

H0674-0081



to this effect:

An American combat aviation crew shot down over Germany a short time previously was overtaken by advancing American troops. They had declared that they were mishandled by indignant persons of the population, had been threatened with death and probably would have been killed, if German soldiers had not delivered them and taken them under their protection.

BORMANN further pointed out to the Fuehrer in a few words that this confirmed that soldiers in such cases step in against the population.

b) HITLER, rather angry, turned to me and said excitedly:
" I have already once ordered that bailing-out bomber-crews are not to be protected against the population. These people only murder German women and children. It is unheard of that German soldiers should take measures to protect these murderers against their own population which is acting from justified hate. Why were my orders not carried out?"

Surprised by this attack I replied somewhat like this:
" I know of no such order, moreover it would be a practical impossibility."

HITLER turning toward me expressed himself, very loudly and sharply.
"The reason why my orders are not carried out is only the cowardice of the Luftwaffe, because the gentlemen of the Luftwaffe are cowards and are afraid that something might also happen to them. The whole thing is nothing more than a cowardly agreement between the Luftwaffe and the British and American fliers. "

HITLER turned then also to KALTENBRUNNER who happened to be present in the background and speaking to him while partly looking at me continued:

"I hereby order that all bomber crews bailed-out in the last few months and also all bomber crews bailing-out in the future are to be turned over by the Luftwaffe to the SD and are to be liquidated by the SD. Anyone who does not carry out my orders or who takes action against the population will be punished with death and is himself to be shot."

HITLER then further expressed in a general way his indignation and his conception. The assembled officers made a general impression of surprise and disapproval.

H0674-0082

(Page 182 of
orig.*

c) After the Fuehrer's entourage had passed on, I requested an interview with KALTENBRUNNER in the side passage way.

Essential points:

KOLLER: It is impossible to carry out those orders. The Luftwaffe will have no more to do with it. I, under no circumstances, and I can say as much for the Reich Marshal. It is entirely out of the question that the Luftwaffe puts its hand to it in any way.

KALTENBRUNNER: The Fuehrer has completely wrong ideas. Also, the duties of the S.D. are continually misunderstood. Those things are no concern of the S.D. Moreover no German soldier would do what the Fuehrer demands. That is not in the German soldier's line. He does not kill prisoners; if individual fanatical party followers of Herr BORMANN try to do so, the German soldier interferes. The Fuehrer has a completely false picture of the attitude of our soldiers. Moreover, I will also do nothing in the matter myself. It would not occur to me at all. We must only see how we can get out of it, otherwise he will have a few of us transferred among the first. We must gain time. In one way or the other, I am going to leave Berlin immediately for a fairly long time.

KOLLER: Then we are agreed on the main point. You leaving Berlin is propitious. But we must have another way out as far as the Fuehrer is concerned, for it is possible that he may come back to his order tomorrow. Later on, if it gets worse and worse, we will have to see how to prevent the business, or what is going to happen to us.

It was decided at my suggestion that no order along the lines commanded by the Fuehrer will be given to the Luftwaffe and the S.D. None was given to the S.D. In case the Fuehrer should revert

H0674-0083



to his order again, then, first of all, prevent further action thru explanations of the following kind.

All previously captured prisoners belonging to flying crews must not be handed over to the Luftwaffe, but scattered everywhere around under the control of the Replacement Army Commander (BdE); time of capture not to be centrally known. Therefore, the establishment of the number of air personnel captured during the last months would be very difficult and time - consuming. Also, preparations must be made in detail for getting them out without attracting attention. The newly captured crews go automatically to interrogation centers. Those are in a state of moving', owing to operations. Liaison is bad.

H0674-0084



Therefore, detailed discussions and agreements with the SD necessary. In order to preserve the appearance of discussion, the intelligence officer of the Luftwaffe (Ic des OKL) should go to a delegate of KALTENBRUNNER, who, however, would first have to be appointed.

d) After the Fuehrer's entourage, I spoke to Field Marshal KEITEL in the entrance of the air raid shelter and said:

"The Fuehrer's order is insane (Keitel remarked in between: "One can certainly call it that"). The Luftwaffe shall keep her escutcheon clean. The order cannot be carried out. I am convinced that the Reich Marshal is entirely of my opinion. To issue such an order and moreover with such a threat of punishment, only verbally. To an order of this kind he has to sign his own name. Whether or not it will then be carried out is an open question, in any case not by the Luftwaffe. Nor by the SD., either, I have spoken with KALTENBRUNNER.

Field Marshal KEITEL:

"He will not sign such orders then, and the OKW always has to endorse everything. But I will be damned if I issue such an order."

KOLLER:

"The Luftwaffe cannot join in this under any circumstances. We will never assume such a responsibility."

Field Marshal KEITEL:

"You are right. I neither. I must think over what I can do about it and how." The conversation was interrupted because KEITEL was called to the telephone. KEITEL was very indignant and annoyed about the Fuehrer's order.

e) After refreshments in a corner of the air raid shelter I had to cross the antechamber of the conference room again to go to the cloakroom and the way out. HITLER by chance came out of the room, gave an order to an orderly and called me as I was passing by. The door to the conference room was open, LEY was sitting at the table.

HITLER said to me:

"I came back to my order once more. All of you must help me, it cannot go on like this any longer. The Luftwaffe, or at least the Reich defense

H0674-0085



has failed. What am I to do against the frightful bombing terrorist which is only murdering German women and children."

KOLLER:

"The Air Defense and our crews do what they can and what is humanly possible. The neglect of air armament by us, the momentary technical and numerical superiority of the enemy, can not be eliminated or altered overnight. When the searchlight-units finally become stronger, the air situation over Germany will improve for us."

HITLER:

"I cannot wait for that. I can no longer be responsible before the German people for the continuation of this air situation.

H0674-0086



If those fliers realize that they will be liquidated as terrorists, they will think it over before flying here."

KOLLER:

"It certainly will not improve the air situation, but on the contrary, make it worse."

HITLER:

"No, what the Japanese have done is the right thing.

In contrast to his behaviour at the gathering, HITLER was quiet again. He displayed an affable manner. From experience, one could talk with him better alone, than in presence of other people. I thought it was a good opportunity to attack the whole problem and declared: " If i am permitted to express my point of view, it is that this will not do. Such measures are in such brutal opposition to the education, feelings and thinking of all soldiers, that they cannot be carried out. One cannot fill soldiers with the articles of war and decent conduct and then order actions which go against everybody's grain. You must not forget, my Fuehrer, that the enemy fliers also carry out orders and do their duty just as ours. If they are shot down or make crash landings, they are just defenseless and unarmed prisoners. How would we stand before the world? And the first measures of the enemy would be to treat our flying crews the same way. That is something we cannot answer for to our men and their relatives. All their willingness to serve and their discipline would collapse at one blow."

Up to that point the Fuehrer had not interrupted me. After he had at first looked at me, he turned his look away, and seemed to be lost in his thoughts. But he had been listening and interrupted me here, and said quietly and in an earnest manner:

"And so the Luftwaffe is still afraid. That is indeed quite all right, but I am responsible for the protection of the German people, and have no other means except this. "

H0674-0087



HITLER turned around and went back into the conference room.

f) After my arrival at the Luftwaffe Headquarters (Kurfuerst) I informed Colonel von BRAUCHITSCH of the events and ordered him to report to the Reich Marshal about it as soon as possible. I myself could not reach the Field Marshal at that moment. During our conversation BRAUCHITSCH also expressed a disapproving attitude towards the Fuehrer's order.

g) Some one or two hours later the Field Marshal called me and began his conversation with the following words:

" Tell me, has he finally gone completely mad, "

H0674-0088



It was very clear who was meant. I personally reported once more to the Reich Marshal about the principal happenings and the conversation wit. KALTENBRUNNER and added:

I will not carry out this order or any activity connected with it. I will take pains to handle the situation so as to gain time first of all, in any case, and do everything possible to prevent any of us from falling under the wheels. Perhaps after the last conference the Fuehrer will not come back to his order any more. If he does, however, it will be very hard, and you will have to go to the Fuehrer yourself. What the Fuehrer has ordered must not be allowed to happen in any case.

The Reich Marshal expressed himself as very much opposed to HITLER's attitude and agreed with me in every point. He ordered me to act as had been suggested, to inform him immediately at the proper time, and ended his conversation with these words: "This is all insane and cannot be carried out."

h) Measures against allied fliers on the basis of the above-mentioned Fuehrer's order have been adopted neither by the Luftwaffe, nor by the SD. This order has not been made known, in my opinion, to the Replacement Army Command (BdE), or their offices, as the Replacement Army Command was not present at the Fuehrer's meeting and the order has not been passed on by the Army High Command (OKW).

HITLER did not come back to his order later, either with the Reich Marshal, or with myself or my representation. Nor, I think, with KALTENBRUNNER, either. To be sure, I have never spoken to the latter again about this matter.

Whether HITLER deliberately let the matter drop, or whether he forgot about it under the pressure of wents, I was unable to judge.

H0674-0089



i) Perhaps 2 or 3 weeks later, there came to my knowledge a directive of the OKW, (I think, a teletype), in which, as I recall, mention was made of the eye-witness report (Reporterbericht) that had given occasion to it. In it was disclosed that the Fuehrer had expressed his displeasure, that German soldiers had acted against their own people.

No mention was made of the main point of HITLER's order. If I remember correctly, the order was signed by KEITEL and is not to be regarded as anything else than an attempt to cover himself as far as the Fuehrer was concerned. In my opinion, General JODL had nothing to do with the whole affair.

(handwritten signature) KARL KOLLER

signed: Karl KOLLER

General of the Air Force

H0674-0090

(Page 186 of orig.)

Filed June 8, 1946

Cover sheet of Document Jo 59

A J 6

---

Testimony of Lt. Col. of the General Staff

BRUDERMUELLER

of 14 March 1946

---

H0674-0091



14 March 1946

To

Professor Dr. EXNER
Defense Counsel A. JODL

I make following statements to your questions.

1. The Fuehrer contemplated March 45 ( I do no remember the correct date) to leave officially the Geneva Convention, General JODL immediately referred to the fact to the Fuehrer, that this decision would be wrong, in his opinion and could not be executed. But despite the Fuehrer gave immediately the order to put together, as soon as possible, the documents which were required to judge this matter.

General JODL several days later handed over to the Fuehrer a momoir worked out by himself in which he proved clearly and largically built up, that the contemplated decision of the Fuehrer would place the German leadership into injustice and would be therefore wrong.

The Fuehrer kept the memoir and from this moment never touched this theam again. That the Fuehrer did not bring this decision to the execution first of all has to be thanked for the particularly expertly built up and plausible memoir of General JODL.

The documents for the memoir were submitted by following offices:

a) Deputy of the Executive Staff of the Armed Forces General of the mountain troops WINTER.

b) Supreme Command of the Armed Forces/ Executive Staff of of the Armed Forces/ which had the task of liason with the Foreign Office.

H0674-0092

c) Supreme Command of the Air Force.

d) Supreme Command of the Navy.

2. Whole happening as well as the radio telegram unknown to me. I state to this fact, that I was on duty with the Executive Staff of the Armed Forces in the afternoon 21 April 45 apprx. between 1600 hours and 20.30 hours therefore I could not have been with Colonel JODL. My representativ at this time Major BUECHS, General Staff, a General Staff Officer of the Air Force with the Chief of the Executive Staff of the Armed Forces. About the events could be familiarperhaps following offices:

a) General of the mountain troops WINTER, deputy Chief of the Executive Staff of the Armed Forces.

b) Captain of the Navy ASSMANN, Section Chief of the Naval Operational Section of the Executive Staff of the Armed Forces.

c) Colonel MEYER-DETTRING, General Staff, Section Chief of the Operational Section Army of the Executive Staff of the Armed Forces.

(handwritten) BRUDERMUELLER
Lt. Col. of General Staff

(typed) BRUDERMUELLER
Lt. Col. of General Staff

H0674-0093

1 May 46

We JOHN B. ROBINSON, Civ., X-046350 and WANDA S. TIESZEN, Civ., X-046265, hereby certify that we are thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the original document.

JOHN B. ROBINSON
Civ., X-046350

WANDA S. TIESZEN
Civ., X-046265